

**AGRICULTURAL BIOMASS
TO ENERGY PROGRAM
(SB 704)**

COMMITTEE DRAFT GUIDEBOOK

DECEMBER 2003
P500-03-102D



Arnold Schwarzenegger, Governor

CALIFORNIA ENERGY COMMISSION

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These draft guidelines were prepared by the California Energy Commission's Renewables Committee pursuant to Senate Bill 704 (Florez, Statutes of 2003, Chapter 480). The views and recommendations contained in these guidelines reflect the preliminary position of the Renewables Committee, and are not the official policy of the California Energy Commission at this time.

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Introduction

The Renewables Committee (Committee) of the California Energy Commission (Energy Commission) proposes this draft version of the *Agricultural Biomass to Energy Program* (AgBio Program) *Guidebook* to implement the provisions of Senate Bill 704 (SB 704, Florez, Chapter 480, Statutes of 2003). It describes the eligibility requirements for receiving funding under the AgBio Program and provides information on the Energy Commission's administration of this program. Eligibility requirements are discussed first in this *Guidebook*, followed by information on the program's administration.

Purpose

The AgBio Program is designed to improve air quality in California's agricultural areas by reducing the open-field burning of agricultural fuels. Qualifying agricultural fuels are those that have traditionally been open-field burned. As a result of this program, these agricultural residues will be used instead in biomass-fueled power plants to generate electricity.

The AgBio Program is funded under SB 704, with the funds redirected from the Renewable Resources Trust Fund. Those funds are collected from the ratepayers of the three largest investor-owned utilities (IOU) in California to support existing, new, and emerging renewable electricity generation technologies. More information about the Renewable Energy Program can be found on the Energy Commission's website at [www.energy.ca.gov/renewables].

Overview

The AgBio Program provides financial incentives to eligible biomass facilities, in the amount of \$10 per ton, for each green ton of qualified agricultural biomass (QAB) purchased and converted into energy by the facility from July 1, 2003 through June 30, 2004. To qualify for the incentives, applicants must demonstrate that both the biomass facility and the agricultural biomass the facility purchases meet a number of statutory requirements as specified in this guidebook.

Applicants for eligible biomass facilities must register with the Energy Commission in order to determine eligibility for funding. Applicants shall be notified of their eligibility status after Energy Commission staff has reviewed registration forms. All applicants seeking program incentives must apply for registration with the Energy Commission by submitting form CEC-SB704-1.

Applicants who are determined to be eligible for funding must submit invoices to document the eligibility and amount of QAB purchased in order to receive incentive payments. Energy Commission staff will review these invoices and make incentive payments based on the eligible QAB purchased, the \$10 per green ton incentive rate, and the availability of funding for the AgBio Program.

Program Funding

The AgBio Program is a one year program that will pay for QAB purchases from July 1, 2003 through June 30, 2004, funds permitting. Consistent with the provisions of SB 704, a total of \$6 million is available and shall be paid on a \$10 per green ton basis until all funds are expended, or until June 30, 2004, whichever comes first. The Budget Act of 2003 (Statutes of 2003, Chapter 157, Section 2.00) directs the Energy Commission to allocate \$6 million from the Renewable Resources Trust Fund to fund the AgBio Program. The Energy Commission intends to reallocate \$6 million of unexpended Senate Bill 90 (SB 90, Sher, Chapter 905, Statutes of 1997) Existing Renewable Resources Account funds to accomplish this requirement. According to the Energy Commission's Investment Plan (*Investing in Renewable Electricity Generation in California*, June 2001, Publication P500-00-022), any unexpended SB 90 funds are to be rolled over to the corresponding program under the extension of the Renewable Energy Program.

Eligibility

In order to receive incentive payments from the AgBio Program, applicants for biomass facilities must submit registration forms and backup materials that demonstrate the facility meets the following eligibility requirements.

1. The facility must be located in California;
2. The facility, as of July 1, 2003, converted and continues to convert QAB to energy;
3. The facility is permitted with best available control technology (BACT) to reduce emissions, as determined by the Air District in which the facility is located;
4. The facility's emissions control equipment is in good working order and in compliance with its operating permit, as determined by the Air District in which the facility is located;
5. Neither the facility nor the suppliers of QAB to the facility receive Emission Reduction Credits for any QAB for which the facility is requesting incentive payments; and

6. The facility increased its purchases of QAB by at least 10 percent as compared to the average annual tonnage purchased by the facility in the five years of operation prior to the implementation of the Agricultural Biomass-to-Energy Incentive Grant Program in July 2000.

Registration

In order to receive incentive payments from the AgBio Program, applicants must submit the registration form (CEC-SB704-1) along with all necessary backup materials for the Energy Commission to determine eligibility. The facility's identification number shall be the five digit CEC ID number issued to the facility by the Energy Commission's Existing Renewable Facilities Program (ERFP) preceded by "SB704-" (i.e. SB704-10000).

Applicants shall submit documentation specifying the amount and type of QAB purchased during five years of operation preceding the Agricultural Biomass-to-Energy Incentive Grant Program. The five years of data do not need to be for five consecutive years, but should be for the most recent five years of operation prior to the Agricultural Biomass-to-Energy Incentive Grant Program. Data shall be summarized on a monthly basis and must include an annual average over the five-year period along with a six month average over the five-year period for the months of July through December. Facilities that are unable to provide data on QAB usage for five years preceding the Agricultural Biomass-to-Energy Incentive Grant Program will **NOT** be eligible for funding from the AgBio Program.

All eligible facilities must be permitted with BACT to reduce emissions, have their emissions control equipment in good working order, and be in compliance with their operating permits, as determined by the Air District where the facility is located. In order to meet this requirement, applicants shall submit a signed affidavit (form CEC-SB704-3) from the Air District declaring that the facility is in compliance with the above requirements as of the date last verified by the Air District, or July 1, 2003, whichever is more recent in time. With the exception of the facility ID and facility name, the affidavit is to be completed and signed by an authorized representative of the Air District.

All applicants must also provide documentation that neither the facility nor any of the facility's suppliers of QAB has received any Emission Reduction Credits for any QAB for which the facility is requesting incentive payments. This requirement can be met by submitting an affidavit signed by the Air District indicating that the facility does not receive any Emission Reduction Credits for any QAB purchased and burned by facility (form CEC-SB704-3). To satisfy the requirement that the suppliers of QAB do not receive any Emission Reduction Credits, a signed affidavit from the Air District must be submitted declaring that no supplier of QAB in the Air District receives any Emission Reduction Credits for QAB (form CEC-SB704-4).

Instead of each individual facility providing this affidavit, a single affidavit from each Air District declaring that no supplier of QAB in their district receives Emission Reduction Credits will suffice (form CEC-SB704-5). This affidavit needs to be submitted to the Energy Commission and it is the responsibility of the applicants to ensure that the Air Districts submit this information.

Finally, all applicants planning to receive funding from the State of California must submit a Vendor Data Record (STD-204) to the Energy Commission. Checks will be made out to the vendor name indicated on the STD-204 and mailed to the address provided on this form.

All registration material must be received by the Energy Commission no later than March 1, 2004 to allow sufficient time to make payments by March 31, 2004 for QAB purchased from July 1, 2003 through December 31, 2003. Completed original registration forms, all necessary verification documentation, and any affidavits from the Air Districts **must** be mailed to:

Attn: Tony Gonçalves
Agricultural Biomass Program
California Energy Commission
1516 Ninth Street, MS-45
Sacramento, CA 95814-5512

The Energy Commission shall make every effort to notify applicants of their eligibility status by March 10, 2004, but may not be able to do so due to time constraints. All applicants, however, shall be notified of their eligibility status no later than March 31, 2004.

For questions regarding the AgBio Program or registration for this program, please contact Tony Gonçalves at the address listed above, by phone at (916) 654-5168, or by e-mail at [tgoncalv@energy.state.ca.us].

Note that all registration materials submitted to the Energy Commission become **public records** and are subject to public disclosure, with the exception of taxpayer identification numbers included as part of the Vendor Data Record (STD-204).

Incentive Payment Process

Applicants for all eligible facilities will need to submit a signed invoice form (CEC-SB704-2) and all necessary backup information in order to receive funding from the AgBio Program. The backup material will include a monthly summary by QAB supplier. For each QAB supplier, the summary will include a job number, the date(s), number of truckloads, type of QAB, tons of QAB, and the Air District from which the QAB originated.

The first invoice, for the months of July through December 2003, is due on March 10, 2004. The second invoice for January through June 2004 is due by July 15, 2004. The Energy Commission shall pay \$10 per green ton of QAB purchased and delivered to eligible electricity generating biomass facilities for conversion to energy. Incentive payments shall be made for QAB purchases as long as funds are available. Once all funds are exhausted, the Energy Commission is under no obligation, nor does it have any authority, to seek additional funds to pay for QAB purchases through the end of June 2004.

Note that all invoices for payment and backup materials submitted to the Energy Commission become **public records** and are subject to public disclosure.

Invoices shall be submitted to the Energy Commission by the appropriate due dates and shall be sent to the following address:

Attn: Tony Gonçalves
Agricultural Biomass Program
California Energy Commission
1516 Ninth Street, MS-45
Sacramento, CA 95814-5512

July 2003 through December 2003 Incentive Payments

The Energy Commission is required to issue payments by March 31, 2004 for QAB purchased from July 1, 2003 through December 31, 2003. In order to meet this deadline, all QAB purchase data for this period will need to be submitted by March 10, 2004. Energy Commission staff will review all the invoices and backup materials submitted, process the payments, and have the payment authorizations ready to send to the State Controller's Office by March 30, 2004. The State Controller's Office may take up to 3 weeks to disburse and mail out payments.

In order to receive any incentive payments, a facility must exceed its five-year annual average of QAB purchases by at least 10 percent. In determining whether a facility has met this requirement for July through December purchases, staff will compare actual purchases of QAB from July through December 2003, to the six month average (July through December) for a five-year period preceding the Agricultural Biomass-to-Energy Incentive Grant Program. If the actual purchases exceed the five-year average by at least 10 percent, payments will be made for all actual purchases from July through December 2003.

If the facility does not meet the 10 percent requirement but confirms its intention to meet the 10 percent requirement for the July 2003 through June 2004 period, the Energy Commission will reserve the funds associated with actual purchases of QAB from July through December 2003. These funds will only be paid after the second invoice has been submitted (for the months of January through

June 2004) and staff has confirmed that the facility has achieved a 10 percent increase over the entire fiscal year.

The Energy Commission will make incentive payments and issue reservations for all QAB purchased from July through December 2003 only if the amount of QAB purchased results in incentive payments totaling less than the \$6 million available. In the event that the requested amount exceeds \$6 million, the amount of eligible QAB submitted by each facility shall be prorated, as described below, so that payments will not exceed this amount.

January 2004 through June 2004 Incentive Payments

Any funds not disbursed or reserved for July through December 2003 QAB purchases shall be made available for January through June 2004 purchases. It is anticipated that there will not be sufficient funding to pay incentives for all QAB purchased during the January through June 2004 period; therefore, the Energy Commission will prorate the amount of incentives paid for QAB purchased by facilities during this period. All invoices for January through June 2004 are due by July 15, 2004, after which the Energy Commission will attempt to have payments processed and ready to send to the State Controller's office by the middle of August 2004.

The Energy Commission must encumber AgBio Program funds prior to June 30, 2004 in order to expend them for the purposes of this program. Progress reports detailing monthly QAB purchases will therefore be required to determine the amount of encumbrance for each facility. The progress reports will also be used to determine if facilities with reserved funds appear to be on track to fulfill the 10 percent requirement. Progress reports will be due on May 15, 2004 and June 15, 2004. The May 2004 progress report will cover January through April 2004 QAB purchases, and the June 2004 report will cover May 2004 QAB purchases. If the May 2004 progress report reveals that all funds will be subscribed, the June 2004 progress report will be eliminated, and the Energy Commission may decide to issue reservations for incentives based on the QAB purchased through April 2004.

In making payments for January through June 2004, staff shall first review the invoices submitted by any facilities for which a July through December 2003 reservation exists. Staff will compare the facility's actual purchases for July 2003 through June 2004 to their five-year annual average. If the actual purchases exceed the five-year annual average by at least 10 percent, the facility will be paid for their July through December 2003 reservation. If a facility with reserved funds does not satisfy the 10 percent requirement, the funds that had been reserved for that facility shall be added to the funds available for January through June 2004 QAB purchases.

In order to determine which facilities are eligible for incentive payments for January through June 2004, staff will add the QAB purchases submitted on the January through June 2004 invoices to the QAB purchases on the July through December 2003 invoices. The actual purchases for July 2003 through June 2004 will be compared to the 5-year annual average, and any facility that exceeds the annual average by at least 10 percent will be eligible for January through June 2004 incentive payments.

Energy Commission staff will then calculate the amount of QAB eligible for funding during January 2004 and determine if there are sufficient funds for all the eligible QAB submitted. If there are sufficient funds to satisfy January purchases, staff will then follow the same procedure for February 2004 purchases, then March 2004, April 2004, and so forth until there are not sufficient funds to fully cover a particular month's purchases.

In the event that there are not sufficient funds to meet the full demand of QAB purchases for a particular month, staff will calculate how many tons of QAB it can fund. For the month in which insufficient funds are available, the Energy Commission will prorate the amount of eligible QAB purchases for that month by facility to match the amount of funding available for that period. Once the prorated tonnage has been determined, the Energy Commission will prepare the appropriate incentive payments and send them to the State Controller's office by the middle of August 2004.

Program Administration

This section of the *Guidebook* provides information on the Energy Commission's administration of the AgBio Program, including the Energy Commission's authority, the effective date of program guidelines, the process for modifying the guidelines, the process for disputing incentive payments or appealing a decision denying program funding, and record keeping requirements. This section also provides information on the Energy Commission's right to inspect and audit applications and invoices for payment, and to take enforcement actions to recover incentives paid and pursue other actions and remedies as allowed by law.

Authority

The program guidelines set forth in this *Guidebook* are adopted pursuant to Health and Safety Code section 41606, subdivision (c)(5), which authorizes the Energy Commission to adopt guidelines governing funding under section 41606. The guidelines adopted pursuant to this authority are exempt from the rulemaking requirements of the Administrative Procedures Act, as specified in Chapter 3.5 (commencing with Section 11340) of Division 3 of Title 2 of the Government Code.

Nothing in these program guidelines shall be construed to abridge the powers or authority of the Energy Commission or any Energy Commission designated committee as specified in Division 15 of the Public Resources Code, commencing with section 25000, or Division 2 of Title 20 of the California Code of Regulations, commencing with section 1001.

Effective Date of Guidelines

These program guidelines set forth in this *Guidebook* shall be of no effect until the *Guidebook* is approved by the Committee and adopted by the Energy Commission at a publicly noticed meeting with no less than 30 days public notice.

Changes to Program Guidelines

Substantive changes to the program guidelines may be made upon the recommendation of the Committee with the approval of the Energy Commission. Substantive changes shall take effect once adopted by the Energy Commission at a publicly noticed meeting with no less than 10 days public notice.

Non-substantive changes to the program guidelines may be made upon the recommendation and approval of the Committee. Non-substantive changes shall take effect 10 days after the Committee has approved and publicly noticed the non-substantive changes. Non-substantive changes include, but are not limited to the following:

- a) Changes in the format of any application form, invoice, or report required under the program guidelines and
- b) Changes to information required in any application form, invoice, or report required under the program guidelines.

Approval of Funding

Program funding shall be awarded and paid to eligible applicants as specified in this *Guidebook*. Formal Energy Commission approval of each individual program award or payment shall not be required.

Cancellation of Program Registration or Funding

The Committee may cancel the program registration or funding awarded or reserved for any awardee that changes or otherwise modifies its basis for funding eligibility under this *Guidebook* and no longer satisfies the requisite eligibility criteria. The Committee shall notify the awardee in writing of the basis for canceling the awardee's registration or funding, the effective date of the cancellation, and the terms and conditions for the repayment of any portion of the funding the awardee was not otherwise entitled to receive. The written notice

required herein shall be given at least 15 days in advance of the effective date of the cancellation to provide the awardee an opportunity to file a petition for reconsideration pursuant to the program guidelines.

Withholding Payments of Program Incentives

Program incentives will not be paid under any of the following circumstances.

- a. The Committee determines that the awardee is no longer eligible to receive program incentives.
- b. The awardee fails to properly invoice the Energy Commission as specified in these guidelines.
- c. Based on an audit or investigation conducted pursuant to these guidelines, the Committee determines that the awardee has misstated, falsified, or misrepresented information in applying for registration, invoicing for incentive payments, or reporting any information as required by these guidelines.

Audits

The Energy Commission's Accounting Office or its authorized agents, in conjunction with Energy Commission staff, may audit any awardee to verify the accuracy of any information included as part of an application for registration, invoice for incentive payment, or report required under these guidelines. As part of an audit, an awardee may be required to provide the Accounting Office or its authorized agents with any and all information and records necessary to verify the accuracy of any information included in the awardee's registration applications, invoices, or reports. An awardee may also be required to open its business records for on-site inspection and audit by the Accounting Office or its authorized agents for purposes of verifying the accuracy of any information included in the awardee's registration applications, invoices, and reports.

If an audit finds that an awardee has incorrectly stated or falsified information included on the awardee's registration applications, invoices, or reports, the Accounting Office will notify the awardee of its findings in writing within 30 days of completing the audit. Based on the audit results, an awardee may be required to refund all or a portion of the incentive payments it has received under the program. In addition, any program funding reserved for the awardee may be cancelled and enforcement actions initiated pursuant to these guidelines.

Record Retention

Awardees shall keep all records relating to and verifying the accuracy of any information included in an application for registration, invoice for incentive payments, or report submitted pursuant to these guidelines. These records shall

be kept for a period of not less than three years after the end of the calendar year in which the awardee's last incentive payment is made.

Use and Disclosure of Information and Records

The Energy Commission or its authorized agents may use any information or records submitted to the Energy Commission pursuant to these guidelines to determine eligibility and compliance with the guidelines, evaluate the AgBio Program and related Energy Commission programs, and prepare necessary reports as required by law. The information and records include, but are not limited to, applications for registration, invoicing for incentive payments, and any documentation submitted in support of said applications or invoices.

Information and records submitted to the Energy Commission pursuant to these guidelines will be disclosed to other government entities and policing authorities for civil and criminal investigation and enforcement purposes. This information and records may also be disclosed to members of the public pursuant to the California Public Records Act (Government Code sections 6250, et seq.). Taxpayer identification numbers and social security numbers will not be disclosed to members of the public.

Information concerning the amount or payment of program incentives is public information and will be disclosed pursuant to the California Public Records Act. This information, along with other public information describing program participants, may be disclosed through the Energy Commission's web site or other means, as the Energy Commission deems appropriate.

Tax Consequences

Awardees are responsible for any federal and state tax consequences associated with the receipt of incentive payments. The Energy Commission will report funding awards payments to the Internal Revenue Service and issue the awardee an informational form (e.g., 1099-Misc.) when required to do so by law. In order to process program payments for tax purposes, awardees must complete a Vendor Data Record form to provide the Energy Commission with taxpayer information. The taxpayer identified in this form must be the awardee as identified in registration application.

Reconsideration of Funding Awards and Funding Award Cancellations

Committee Reconsideration

Any entity may petition the Committee for reconsideration if its application for program registration is denied, its invoice for program payments reduced or denied, or its awarded or reserved funding is reduced or cancelled. The petition

for reconsideration shall be in writing and shall be submitted, together with any supporting documentation, to the Committee at the following address within 15 days of receipt of the notice of registration or payment denial, or funding cancellation.

Address: California Energy Commission
Renewables Committee
1516 9th Street, MS-31
Sacramento, CA 95814-5512

The petition shall specify the basis for the appeal; state why the petitioner believes the denial of registration, reduction or denial of payments, or cancellation of awarded or reserved funding was improper given the eligibility requirements for registration, payments, and program funding; explain any supporting documentation filed with the petition; identify any legal authority or other basis supporting the petitioner's position; and identify the remedy sought.

Within 45 days of receiving a complete petition, the Committee, in its discretion, shall either issue a decision based on its consideration of the petition and the written response of Commission staff, or schedule a hearing to consider the petition. If a hearing is scheduled, the petitioner shall be notified of the hearing date and any additional information the petitioner is directed to submit. This notice shall be given at least 15 days in advance of the Committee hearing date. The Committee may direct the petitioner and Commission staff to attend the Committee hearing to offer pertinent testimony.

The Committee shall provide the petitioner with a written decision on the petition within 45 days of holding the hearing. Should the petitioner disagree with the Committee's decision, the petitioner may appeal the decision to the Energy Commission.

Commission Appeals

Within 15 days of receiving of the Committee's decision, the appealing party shall file a letter of appeal stating why the Committee's decision is unacceptable. The letter of appeal, along with a copy of the petition for reconsideration, supporting documentation, and the Committee's written decision, shall be sent to the Commission's Public Adviser at the following address.

Address: California Energy Commission
Public Adviser's Office
1516 9th Street, MS-12
Sacramento, CA 95814-5512

Within 30 days of receiving the letter of appeal, the Public Adviser shall arrange for the appeal to be presented to the Commission at a regularly scheduled

Business Meeting, and shall inform the appealing party in writing of the Business Meeting date and the procedures for participating in the Business Meeting. The appealing party shall be responsible for presenting the appeal to the Commission during the Business Meeting. Unless otherwise determined during the course of the Business Meeting, the Commission shall determine the appeal during the Business Meeting.

Enforcement Actions

Recovery of Overpayment

The Committee, with the concurrence of the Commission, may direct the Commission's Office of Chief Counsel to commence formal legal action against any awardee or former awardee to recover any portion of program funding the Committee determines the awardee or former awardee was not otherwise entitled to receive.

Fraud and Misrepresentation

The Committee may initiate an investigation of any awardee which the Committee has reason to believe may have misstated, falsified, or misrepresented information in applying for registration, in invoicing for program payments, or in reporting any information as required by these guidelines. Based on the results of the investigation, the Committee may take any action it deems appropriate, including, but not limited to, revoking an awardee's registration; denying program payments; canceling or reducing any awarded or reserved program funding; recovering any overpayments; and, with the concurrence of the Energy Commission, recommending the initiation of an Attorney General investigation and prosecution pursuant to Government Code sections 12650, et seq., or other provisions of law.

Appendix A - Definitions

Agricultural Biomass-to-Energy Incentive Grant Program – the program administered by the California Technology, Trade, and Commerce Agency from July 2000 through June 2002 pursuant to former Part 3 (commencing with Section 1101) of Division 1 of the Food and Agricultural Code. The statutes governing this program were repealed by SB 704 (Statutes of 2003, Chapter 480).

Air District – an air pollution control district or air quality management district established or continued in existence pursuant to Part 3 (commencing with Section 40000) of the Health and Safety Code.

Awardee – an entity that has register with the Energy Commission pursuant to this *Guidebook* and is eligible to receive program funding, or has been awarded or reserved program funding.

Committee – a committee of the California Energy Commission charged with overseeing implementation of the Agricultural Biomass to Energy Program. At the time this *Guidebook* was adopted, the Renewables Committee was charged with this responsibility.

Emission Reduction Credit – a credit for a reduction in the emission of an air contaminant that is banked and is available to offset increases in emissions pursuant to Health and Safety Code section 40709, and the regulations adopted pursuant to that section.

Green Ton – a ton of QAB – a measurement of mass corresponding to 2000 pounds of QAB as delivered and accepted at the premises of an eligible biomass facility.

Qualified Agricultural Biomass (QAB) – Agricultural residues that are purchased after July 1, 2003, that historically have been open-field burned in the jurisdiction of the air district from which the agricultural residues are derived, as determined by the air district, excluding urban and forest wood products, that include either of the following:

- Field and seed crop residues, including, but not limited to, straws from rice and wheat.
- Fruit and nut crop residues, including, but not limited to, orchard and vineyard pruning and removals.

For definitions of additional pertinent terms refer to the *Overall Program Guidebook* for the Renewable Energy Program.

Appendix B - Forms, Instructions, and Samples

CEC-SB704 -1 – Registration Form

CEC- SB704-2 – Invoice

CEC- SB704-3 – Affidavit

CEC- SB704-4 – Attestation – Emission Reduction Credits

CEC- SB704-5 – Attestation – Qualified Agricultural Biomass Fuels

STD-204 -- Vendor Data Record

Registration - Agricultural Biomass to Energy Program

Submit To: **Attn: Tony Gonçalves**
California Energy Commission
AgBio Program
1516 Ninth Street, MS-45
Sacramento, CA 95814-5512

| | |
|--|----------|
| 1. Facility Name: | |
| 2. Air District: | |
| 3. Physical Address of Facility: | |
| Telephone: | Telefax: |
| 4. Contact Person / Title: | |
| Telephone: | Telefax: |
| E-mail Address: | |
| 5. Payee Name (30 Characters or Less): | |
| Address: | |

6. Check all that apply

- ☐ This facility, as of July 1, 2003, converted and continues to convert QAB to energy.
- ☐ This facility is permitted with best available control technology to reduce emissions.
- ☐ This facility's emissions control equipment is in good working order and in compliance with all operating permits.
- ☐ This facility will not receive any emission reduction credits for any QAB for which it will request incentive payments.
- ☐ The facility's suppliers of QAB will not receive emission reduction credits for any QAB supplied to this facility for which this facility will request incentive payments from the AgBio Program.
- ☐ This facility intends to purchase at least 10 percent more QAB than was purchased on average for five years prior to the implementation of the Agricultural Biomass-to-Energy Incentive Grant Program in July 2000.

7. Please provide the following average QAB purchase information for five years of operation prior to the Agricultural Biomass-to-Energy Incentive Grant Program. (Submit appropriate documentation to verify 5-year averages **listed** below)

Annual Average (Tons of QAB):

July through December Average (Tons of QAB):

8. DECLARATION

I, (print name and title) _____,
as an authorized officer of the above noted facility, hereby declare under the penalty of perjury that the
information provided in this form is true and correct to the best of my knowledge.

Dated this _____ day of _____, 20____, at _____.
(day) (month) (year) (place of execution)

Signature: _____

Note: All data submitted on this form is subject to public disclosure

Invoice - Agricultural Biomass to Energy Program

Submit To: **Attn: Tony Gonçalves**
California Energy Commission
AgBio Program
1516 Ninth Street, MS-45
Sacramento, CA 95814-5512

Facility ID: **SB704** - _____

Facility Name: _____

Air District: _____

Contact Person / Title: _____

Telephone: _____

Telefax: _____

Reporting Period: _____ through _____

Total Tons of QAB Purchases: _____

Monthly Breakdown of QAB Purchases (Please attach backup material)

| Month | Tons of QAB purchased |
|-------|-----------------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |

DECLARATION

I, (print name and title) _____,
as an authorized officer of the above noted facility, hereby declare under the penalty of perjury that the
information provided in this form is true and correct to the best of my knowledge.

Dated this _____ day of _____, 20____, at _____.
(day) (month) (year) (place of execution)

Signature: _____

Note: All data submitted on this form is subject to public disclosure

Facility ID: **SB704** - _____

Note: All data submitted on this form is subject to public disclosure.

Attestation – Emission Reduction Credits Agricultural Biomass to Energy Program

Submit Completed Form To: **Attn: Tony Gonçalves**
California Energy Commission
AgBio Program
1516 Ninth Street, MS-45
Sacramento, CA 95814-5512

| | |
|--------------------------------------|----------|
| Air District: | |
| Air District Contact Person / Title: | |
| Telephone: | Telefax: |

To the best of my knowledge, no supplier of qualified agricultural biomass is currently receiving emission reduction credits pursuant to Health and Safety Code section 40709 for any qualified agricultural biomass fuel produce in the air district listed above.

| DECLARATION | |
|---|--|
| I, (print name and title) _____, as an authorized representative of the above noted air district, hereby declare under the penalty of perjury that the information provided in this form is true and correct to the best of my knowledge. | |
| Dated this _____ day of _____, 20____, (day) (month) (year) | |
| at _____. (place of execution) | |
| Signature: _____ | |

Note: All data submitted on this form is subject to public disclosure

Attestation – Qualified Agricultural Biomass Fuels Agricultural Biomass to Energy Program

Submit Completed Form To: **Attn: Tony Gonçalves**
California Energy Commission
AgBio Program
1516 Ninth Street, MS-45
Sacramento, CA 95814-5512

| | |
|--------------------------------------|----------|
| Air District: | |
| Air District Contact Person / Title: | |
| Telephone: | Telefax: |

Please provide a list of agricultural biomass fuels considered to be Qualified Agricultural Biomass (QAB) in the above identified air district pursuant to the provisions of Senate Bill 704. The definition of QAB in SB 704 is the same as the definition that applied to the California Trade and Commerce Agency's Agricultural Biomass-to-Energy Incentive Grant Program implemented pursuant to former Food and Agricultural Code sections 1101, et seq.

Please Select one Below

- ☐ Listing of eligible QAB provided on attached pages.
Please indicate number of pages attached: _____
- ☐ Listing of eligible QAB provided below.

[illegible]

DECLARATION

I, (print name and title) _____,
as an authorized representative of the above noted air district hereby declare under the penalty of
perjury that the information provided in this form is true and correct to the best of my knowledge.

Dated this _____ day of _____, 20____, at _____.
(day) (month) (year) (place of execution)

Signature: _____

Note: All data submitted on this form is subject to public disclosure